

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated June 2, 2005 has been received and its contents carefully reviewed.

Claims 1 and 17 are hereby amended. Claims 1–33 are pending. Reexamination and reconsideration of the pending claims are respectfully requested.

In the Office Action, claims 1, 3-17 and 19-33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,373,540 to Munakata (hereinafter “Munakata”) in view of U.S. Patent No. 6,208,399 to Ohta et al. (hereinafter Ohta). Claims 2 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Munakata and Ohta, in further view of U.S. Patent No. 6,545,730 to Hwang (hereinafter Hwang).

The rejection of claims 1, 3-17 and 19-33 as being unpatentable over Munakata in view of Ohta is respectfully traversed and reconsideration is requested.

Claim 1 is allowable over Munakata in view of Ohta in that claim 1 recites a combination of elements including, for example, “a second pixel electrode on the color filter and contacting the first pixel electrode at a portion over the black matrix, wherein a contact portion of the first pixel electrode and the second pixel electrode is directly over the black matrix.” None of the cited references, singly or in combination, teaches or suggests at least these features of the claimed invention. The Examiner states, at page 7 of the Final Office Action, that the “language in the claims merely recite that there is contact over the black matrix. As clearly depicted in Fig. 1A, the BM is under each of the first and second pixel electrodes and the portion contacting the drain electrode.” However, the structure of present claim 1 is different from the modified structure of Munakata in that “a contact portion of the first pixel electrode and the second pixel electrode is directly over the black matrix.” In contrast, Munakata teaches that metal layer 9b and pixel electrode 11 do not directly contact each other and are electrically connected through intermediate electrode 12a. See Fig. 1A and column 6, lines 43-45. Assuming *arguendo* that the intermediate electrode 12a could be interpreted as providing a connection between the metal layer 9b and the pixel electrode 11, Munakata still fails to teach the structure of present claim 1

as the intermediate electrode 12a is not positioned “directly over the black matrix.” See Fig. 1A. Therefore, Munakata does not teach “a contact portion of the first pixel electrode and the second pixel electrode is directly over the black matrix.” Ohta does not cure this deficiency of Munakata. Accordingly, Applicant respectfully submits that claim 1, and claims 3-16, which depend therefrom, are allowable over the cited references.

Additionally, claim 17 is allowable over Munakata in view of Ohta in that claim 17 recites a combination of elements including, for example, “forming a second pixel electrode on the color filter and contacting the first pixel electrode at a portion over the black matrix, wherein a contact portion of the first pixel electrode and the second pixel electrode is directly over the black matrix.” None of the cited references, singly or in combination, teaches or suggests at least these features of the claimed invention. Specifically, the method of present claim 17 is different from the modified method of Munakata in that “a contact portion of the first pixel electrode and the second pixel electrode is directly over the black matrix.” As stated above, Munakata merely teaches that metal layer 9b and pixel electrode 11 do not directly contact each other and are electrically connected through intermediate electrode 12a. See Fig. 1A and column 6, lines 43-45. Assuming *arguendo* that the intermediate electrode 12a could be interpreted as providing a connection between the metal layer 9b and the pixel electrode 11, Munakata still fails to teach the method of present claim 17 as the intermediate electrode 12a is not positioned “directly over the black matrix.” See Fig. 1A. Therefore, Munakata does not teach “a contact portion of the first pixel electrode and the second pixel electrode is directly over the black matrix.” Ohta does not cure this deficiency of Munakata. Accordingly, Applicant respectfully submits that claim 17, and claims 19-33, which depend therefrom, are allowable over the cited references.

The rejection of claims 2 and 18 as being unpatentable over Munakata and Ohta, in further view of Hwang is respectfully traversed and reconsideration is requested.

Applicant respectfully submits that Hwang fails to cure the aforementioned defects associated with the combined teachings of Munakata and Ohta. None of the cited references,

singly or in combination, teaches or suggests “a second pixel electrode on the color filter and contacting the first pixel electrode at a portion over the black matrix, wherein a contact portion of the first pixel electrode and the second pixel electrode is directly over the black matrix,” as recited in independent claim 1. Furthermore, none of the cited references, singly or in combination, teaches or suggests “forming a second pixel electrode on the color filter and contacting the first pixel electrode at a portion over the black matrix, wherein a contact portion of the first pixel electrode and the second pixel electrode is directly over the black matrix,” as recited in independent claim 17. In addition, Applicant respectfully submits that there is no motivation for one of ordinary skill in the art to combine the cited references and arrive at the claimed invention with any reasonable expectation of success. Applicant further respectfully submits that the motivation to combine the references comes from the present invention and not from the cited references, which is impermissible. For at least these reasons, claim 2, which depends from claim 1, and claim 18, which depends from claim 17, are allowable over the cited references.

Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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The undersigned hereby signs this filing under the authority provided by 37 C.F.R. §1.34 pending the filing of a Power of Attorney and Statement under 3.73(b) executed by Assignee.

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Respectfully submitted,

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